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21 **UNITED STATES DISTRICT COURT**
22
NORTHERN DISTRICT OF CALIFORNIA
23
OAKLAND DIVISION

24 ChriMar Systems Inc., et al.,

25 Case No. 4:13-cv-01300-JSW

26 Plaintiff,

27
STIPULATION FOR ORDER CHANGING
TIME OF RESCHEDULED SUMMARY
JUDGMENT HEARING DATE SET IN DKT.
NO. 405 IN VIEW OF TRIAL CONFLICT
AND [PROPOSED] ORDER

28 v.

Cisco Systems Inc., et al.,

[Civil L.R. 6-1, 6-2]

Defendants.

Judge: Honorable Jeffrey S. White
Magistrate Judge: Honorable Maria-Elena James

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1 Pursuant to Civil L.R. 6-1 and 6-2, Defendants Cisco Systems, Inc., Linksys LLC,
2 (collectively, "Cisco") and Hewlett-Packard Co. ("HP") (collectively, Cisco and HP are
3 "Defendants") and Plaintiffs ChriMar Systems Inc. d/b/a CMS Technologies and ChriMar
4 Holding Company LLC's (collectively, "ChriMar") join in this Stipulation requesting an order
5 changing the time for the hearing on the parties' cross-motions for summary judgment, which was
6 recently rescheduled by the Court from June 24, 2016 to August 5, 2016 pursuant to Dkt. No.
7 405, due to a trial conflict in connection with another action currently pending in this District
8 faced by Cisco's lead counsel.

9 As addressed in the attached Declaration of Brian Paul Gearing, lead counsel for Cisco
10 has a conflict on the rescheduled August 5, 2016 summary judgment hearing date due to a pre-
11 existing trial schedule in another pending litigation in the San Jose Division of this Court, *Nortek*
12 *Air Solutions, LLC v. DMG Corp., et al.*, Case No. 14-cv-02919-BLF (N.D. Cal.). In light of that
13 conflict, the parties have met and conferred regarding what appear to be the Court's current
14 available hearing dates listed on its online calendar, and have determined that all parties are
15 available for the summary judgment hearing on the following days in July and August: July 15,
16 2016 and August 19, 2016.

17 In light of Dkt. No. 405, Defendants propose moving the hearing to August 19, 2016.
18 ChriMar proposes moving the hearing to July 15, 2016. The parties are available on either date,
19 as the Court prefers.

21 This request is supported by good cause and the parties do not believe this request will
22 affect any other current deadlines in this case, as further addressed in the attached Declaration of
23 Brian Paul Gearing.
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1 NOW THEREFORE, IT IS HEREBY STIPULATED and agreed to by and between the
2 parties that: As stated above, the parties are available to proceed with the hearing on their cross-
3 motions for summary judgment on July 15, 2016 or on August 19, 2016, pending the Court's
4 availability and preference with respect to those dates.

5 **IT IS SO STIPULATED.**

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7 DATED: June 17, 2016

Respectfully submitted,

8 By: /s/ Brian Paul Gearing

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1 Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest under penalty of
2 perjury that concurrence in the filing of these documents has been obtained from all parties'
3 counsel.

4 Dated: June 17, 2016

KIRKLAND & ELLIS LLP

5 /s/ Brian Paul Gearing

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1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2 1. The hearing on the parties' cross motions for summary judgment, which is
3 currently scheduled for August 5, 2016, is hereby rescheduled to 9:00 a.m. on:

4 5 [July 15, 2016].

6 6 —[August 19, 2016].

7 7 If the Court finds the motions suitable for disposition without oral argument, it shall notify the parties
8 in advance of the hearing date.

9 9 Dated: June 20, 2016

10 10 By: Jeffrey S. White

11 11 Honorable Jeffrey S. White
12 12 United States District Court Judge